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JUL 24 2007

Application No. 10/779,674
Amendment dated July 24, 2007
Reply to Office Action of April 24, 2007

Docket No.: 0941-0918P

AMENDMENTS TO THE DRAWINGS

Attached hereto is one (1) sheet of corrected drawings that comply with the provisions of 37 C.F.R. § 1.84. The corrected drawings incorporate the following drawing changes:

In Fig. 8b, the shape of the hook 52 has been corrected.

It is respectfully requested that the corrected drawings be approved and made a part of the record of the above-identified application.

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REMARKS

Claims 1-7, 9-18, and 20-23 remain present in this application.

The specification and claims 1, 9, 11, 12, 19 and 22 have been amended. Reconsideration of the application, as amended, is respectfully requested.

Amendments to the Specification

It is noted that the description of Figs. 5A and 5B has been amended to recite that the fastening structure 54 (which can be a hook) has a profile corresponding to or substantially equal to that of the gap G. Support for this is clearly shown in the originally filed Figs. 5A and 5B and, as such, no new matter is present.

Objection to the Drawings

The drawings stand objected to under 37 CFR 1.83(a). Accordingly, attached hereto is a corrected Fig. 8b, in which the profile of the hook has been revised to correspond to that of the gap. Reconsideration and withdrawal of any objection to the drawings are respectfully requested.

Objection to the Claims

Claims 11 and 22 stand objected to for certain informalities. In view of the foregoing amendments, it is respectfully submitted that these informalities have been addressed. Accordingly, reconsideration and withdrawal of any objection to the claims are respectfully requested.

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Rejection under 35 USC 112

Claims 7 and 18 stand rejected under 35 USC 112, first paragraph. In particular, the Examiner asserts that the hook having a profile corresponding to that of the gap for positioning itself in said gap is not supported by the originally filed application.

In particular, claim 1 sets forth a fan housing having a main body, the main body having a first section and a second section. The first section has a through hole, and a gap exists between the first and second sections. Also, a fastening structure passes through the through hole in the first section and is partially disposed in the gap and has a part with a profile corresponding to that of the gap for positioning the part in the gap. Claim 7 further sets forth that the part is a hook. Similar limitations are found in independent claim 12 and its dependent claim 18.

The "Summary of the Invention" of the originally filed specification sets forth (emphasis added):

"The fan housing of the present invention includes a main body, a first section, a second section and a fixing portion. The first section is disposed on the main body. The second section is disposed on the main body. A gap is formed between the first and second sections and the fixing portion formed therein. A fastening structure partially engages with the gap for mounting the fan housing on the system frame. The fixing portion prevents the fastening structure from rotating and limits the position of the fastening structure.

The first section may have a through hole, and the fastening structure may include a screw and a nut disposed in the gap. The nut is aligned with the through hole by the fixing portion. The screw passes through the through hole, engaging with the nut. The second section prevents the nut from moving along an axial direction of the screw.

The second section may have a recess aligned with the through hole of the first section, and the screw can be further accommodated by the recess.

The profile of the fastening structure corresponds to the profile of the gap.

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The main body may be rectangular, and the first and second sections and the fastening structure are disposed at corners of the main body.

The fastening structure may comprise a hook connected to the gap for mounting the fan housing on the system frame.

The first section has a through hole, and the hook passes through the through hole, connecting to the gap."

Accordingly, support for "the hook having a profile corresponding to that of the gap for positioning itself in said gap" is clearly found in the original disclosure, as the disclosure sets forth that the "profile of the fastening structure corresponds to the profile of the gap" and then further clarifies that the "fastening structure may comprise a hook."

Accordingly, it is respectfully submitted that claims clearly convey that the inventors, at the time the application was filed, had possession of the invention. Reconsideration and withdrawal of the 35 USC 112, first paragraph rejection are respectfully requested.

Rejections under 35 USC 102 and 103

Claims 1-3, 5, 6, 9, 12-14, 16, 17 and 20 stand rejected under 35 USC 102(b) as being anticipated by Watanabe et al., Japanese document 8-205450. This rejection is respectfully traversed.

Claim 23 stands rejected under 35 USC 102(b) as being anticipated by Tichy, German document 3809627. This rejection is respectfully traversed.

Claims 4 and 15 stand rejected under 35 USC 103 as being unpatentable over Watanabe et al. in view of Emberson, U.S. Patent 4,099,274. This rejection is respectfully traversed.

Claims 7 and 18 stand rejected under 35 USC 103 as being unpatentable over Watanabe et al. in view of Tichy. This rejection is respectfully traversed.

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Claims 10, 11, 21 and 22 stand rejected under 35 USC 103 as being unpatentable over Watanabe et al. in view of Chung, U.S. Patent 5,997,265. This rejection is respectfully traversed.

Independent claims 1 and 12 recite (emphasis added):

1. A fan housing mounted on a frame of a system, comprising:
a main body;
a first section disposed on the main body and having a through hole;
a second section disposed on the main body, wherein a gap is formed between the first and second sections;
a fixing portion formed in the gap; and
a fastening structure passing through the first section via the through hole, partially disposed in the gap and having a part with a profile corresponding to that of the gap for precisely positioning the part in the gap;
wherein the second section prevents one end of the fastening structure from being exposed.

12. A fan assembly, comprising:
a rotor; and
a fan housing having a base to receive the rotor, the fan housing comprising:
a main body;
a first section disposed on the main body and having a through hole;
a second section disposed on the main body, wherein a gap is formed between the first and second sections; and
a fixing portion formed in the gap; and
a fastening structure passing through the first section via the through hole and having a part with a profile substantially equal to that of the gap for positioning the part in the gap;
wherein the second section prevents one end of the fastening structure from being exposed.

In Watanabe, the profile of the part (22) does not correspond to or substantially equal to that of the gap (35). Specifically, a vacant space is shown in the gap (35) of Fig. 4b, such that the positioning function of the gap (35) is questioned since the part (22) cannot be placed

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properly. Watanabe therefore fails to teach or suggest a fastening structure having a part with a profile substantially equal to that of the gap for positioning the part in the gap, as is recited in independent claims 1 and 12.

Additionally, the specification of Wantanabe only specifies that the through hole (25) and the gap (35) are perpendicularly disposed and the part (22) is pressed into the gap (35) corresponding to the through hole (25) (see paragraph [20]). Additionally, in Fig. 4a and 4b, the drawings do not show the fastening structure (21) and the back view of the housing (16). Watanabe therefore also fails to teach or suggest that the second section prevents one end of the fastening structure from being exposed, as is recited in independent claims 1 and 12.

With regard to independent claim 23, this claim sets forth (emphasis added):

23. A fan assembly comprising:
a rotor;
a fan housing receiving the rotor therein and having a main body with a first section, having a hole, and a second section, wherein a gap is formed between the first and second sections; and
a fastening structure having a hook passing through the hole to connect the gap or joining the gap from outside of the fan housing.

In Tichy, the hook (11) connects with the gap (6) within the flange (5). In other words, the gap (6) is not formed between the first section and second section of the fan housing (16a). Tichy therefore fails to teach or suggest that a gap is formed between the first and second sections, as is recited in independent claim 23.

The secondary references to Emberson and Chung fail to overcome the above-noted deficiencies of the primary references utilized by the Examiner.

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In view of the foregoing amendments and remarks, it is respectfully submitted that the prior art utilized by the Examiner fails to teach or suggest the apparatus and fan assembly of independent claim 1, 12 and 23, as well as their dependent claims. Reconsideration and withdrawal of the 35 USC 102 and 103 rejections are respectfully requested.

Conclusion

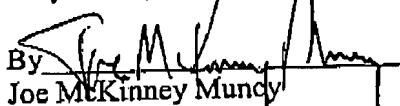
Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

In the event that any outstanding matters remain in this application, the Examiner is strongly encouraged to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: July 24, 2007

Respectfully submitted,

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Attachments